

Refuting Extremism

Study Notes (no6)
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Note: The revision notes below should not be solely relied upon. They are to be utilised along with their corresponding explanations delivered during the lessons.

CHAPTER THREE

Consensus of *ahlus-sunnah wal jamaa'ah* upon the *tafseer* of the verse; "...And whoever does not judge by what Allaah has revealed such are the disbelievers (kaafiroon)." [Al-Maa'idah (5):44]

So that in which there is no difference between the former and the latter scholars regarding one who does not judge by what Allaah has revealed out of denial or making it permissible is that such an individual is a kaafir (disbeliever), out of the fold of Islam.

The principle in the verse:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

"And whoever does not judge by what Allaah has revealed, such are the disbelievers." [Al-Maa'idah (5):44]

Then the scholars of *tafseer* did not differ in the detailed explanation of it, except in their usage of words, so the one who has little knowledge will think that they are differing in meaning but that is not the case some of them explain by means of synonymous terms while others are straight forward in their explanation but they all mean and believe the same, which is the belief of *Ahla Sunnah wal Jamaat*.

So if we gather all the statements of the *Mufasssireen* from *Ahla sunnah* then, their *tafseer* of this verse do not exceed five sayings. They are:

First Saying:

He who denies what Allaah has revealed has disbelieved and he who accepts it but does not judge by it then he is a *dhaalim*, *faasiq*.

This is narrated by Alee Ibn Abee Talhah, from Ibn Abbaas (radiyallaahu anhu) and similar to this is narrated by Ikrimah.¹

Second Saying:

That the intended meaning of this verse is *kufr doona kufr* (disbelief less than disbelief) which does not takes one out of the fold of Islam.

From those who said this are Ibnu Abbass (radiyallaahu anhu), Taawoos and his son (rahimahumallaah), and Ataa Bin Abee Rabaaha (rahimahullaah), and Ali Bin Al-Hussain Zainul-Aabideen (rahimahullaah).²

¹ See al-Hukmu bighairi maa anzallallaahu of Shaykh Khaalid Al-Anbaree p64 third edition

² ibid p76

And these first two sayings, there are no problems with at all. Both of them in reality give one meaning at the end, and that is our saying: after establishment and explanation.

Third Saying:

That Allaah meant by this verse the Jews who changed the book of Allaah and its rules.

There are over nine evidences for this. From those who said this are: Al-Baraa, Hudhayfah, Ikrimah, Dahhaak, Qataadah, Abu Saalih, Abu Mijliz, Ubaydullaah Bin Abdullaah Bin Utbaa Bin Mas'ood and most of the Mufasssireen as stated by Al-Qurtubi.³

Also to aid this statement is the reason for the revelation of this verse, as it occurs in Saheeh Muslim. From the hadeeth of Al-Baraa Bin Aazib (radiyallaahu anhu) who said:

"Two Jews who were tied and their faces blackened with ashes passed by the Prophet (sallallaahu alayhi wa sallam). So he called them and said: 'Is this how you find the punishment for *zina* in your book?' They replied: 'Yes'. So he called a man from amongst their scholars and said: 'Do you swear by Allaah, the One who revealed the Tawrah to Moosaa, that this is how you find the punishment for adultery in your book?' He said: 'No, and if you hadn't asked me to swear to it then I would not have informed you. The real punishment is stoning, but it is prevalent amongst our noble ones so if we found our noble ones fornicating we left him and if we found the peasant fornicating we established the punishment on him. So we said: 'Come here.' So we went to gather the noble people and the average people, and we brought the people who were tied and their faces were blackened to the place of stoning.' Allaah's messenger (sallallaahu alayhi wa sallam) said: 'Oh Allaah, I am the first to revive your law after it has passed away.' So he ordered that they be stoned. Then Allaah revealed:

يَا أَيُّهَا الرَّسُولُ لَا يَحْزُنْكَ الَّذِينَ يُسَارِعُونَ فِي الْكُفْرِ مِنَ الَّذِينَ قَالُوا آمَنَّا
بِأَفْوَاهِهِمْ وَلَمْ تُؤْمِنْ قُلُوبُهُمْ وَمِنَ الَّذِينَ هَادُوا سَمَّاعُونَ لِلْكَذِبِ سَمَّاعُونَ لِقَوْمٍ
آخَرِينَ لَمْ يَأْتُوكَ يُحَرِّفُونَ الْكَلِمَ مِنْ بَعْدِ مَوَاضِعِهِ يَقُولُونَ
إِنْ أُوتِيتُمْ هَذَا فَخُذُوهُ

"O Messenger (Muhammad (sallallaahu alayhi wa sallam))! Let not those who hurry to fall into disbelief grieve you, of such who say: 'We believe' with their mouths but their hearts have no faith. And of the Jews are men who listen much and eagerly to lies - listen to others who have not come to you. They change the words from their places; they say, 'If you are given this, take it, but if you are not given this, then beware!'..."

[Al-Maa'idah (5):41]

Then Allaah revealed:

³ See Tafseer at Tabari (10/346-353), Tafseer Al-Qurtubee (6/190), and ad-Durr al-Manthoor (3/87) and other books of tafseer.

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

"..And whoever does not judge by what Allaah has revealed such are the disbelievers (kaafiroon)." [Al-Maa'idah (5):44]

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ

"..And whoever does not judge by what Allaah has revealed such are the Oppressors (dhaalimoon)." [Al-Maa'idah (5):45]

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْفَاسِقُونَ

"..And whosoever does not judge by what Allaah has revealed such are the disobedient (faasiqoon)." [Al-Maa'idah (5):47]"

All three verses for them, the *kuffar*. [Saheeh Muslim]

As further evidence, Abu Ya'laa Al-Faraa said:

"And He (subhaanahu wa ta'aala) also made that clear when He mentioned the Jews and said:

فَإِنْ جَاءُوكَ فَاحْكُم بَيْنَهُمْ أَوْ

"If they come to you then judge between them or.." [Al-Maa'idah (5):42]

But He did not stop there, rather He (subhaanahu wa ta'aala) said:

وَكُتِبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ

"And we ordained for them a life for a life...." [Al-Maa'idah (5):45]

So when the entire story, from the beginning to the end is about the Jews, then the ayaat are about them."⁴

Remember here also the principle that evidence is taken from the generalisation of the words not from the specific reason for revelation.⁵

The *kufr* in these verses refer to everyone that does what the Jews done in their denial of some of the rulings of the *shari'ah* that are well established, and that is what was intended by those who made it specific to the Jews, who changed the book of Allaah.

This was also confirmed by Al-Jassas when he said:

"The reference is **to rejecting Allaah's judgement, or judging with other than that, while being informed of what Allaah's judgement is**. This is the *kufr* that removes one from the religion, its doer is an apostate, even if he was a Muslim before that. In this way it has been explained by those who said: 'It was revealed for the children of Israel and it applies to us.' They mean that **whoever rejects Allaah's judgements**, or judges by other than Allaah's judgements,

⁴ Masaa'ilul-Eemaan (340-341)

⁵ Even if one was to take from the specific reason for revelation, he would find that it was revealed upon the Jews not on the muslims

then he claims: 'This is Allaah's judgement, then this person is a disbeliever, just as the children of Israel disbelieved when they did that.'⁶

And Al-Khaazin said:

"..And whoever does not judge by what Allaah has revealed such are the disbelievers (kaafiroon)." [Al-Maa'idah (5):44]

"Meaning that when the Jews rejected the judgement of Allaah (subhaanahu wa ta'aala) which they had texts for in the Tawrah they said: "That it was not an obligation, so they were complete disbelievers in Moosaa (alayhis-salaam) the Tawrah, and Muhammad (sallallaahu alayhi wa sallam) and the Qur'aan."⁷

Finally the Shaykh of the *Mufasssireen*, Ibn Jareer At-Tabaree (rahimahullaah) said:

"And the most correct of these sayings, according to me, is that which says that these ayaat were revealed about the disbelievers from the people of the Book. Since the ayaat before and after them were revealed about them, then their meanings are understood by them, and these (earlier and latter) ayaat give information about them, so their information about them is most weighty. Then if one was to say that Allaah mentioned it in a mode that is general for all who do not judge by what Allaah revealed, so how can you make it specific? Then the answer is, that Allaah was general in His address about people who **reject** the ruling that Allaah decreed in His Book. He informed about them – that by their avoiding to judge in the way that they had, they were disbelievers. So in this way, it is said about all who do not judge by what Allaah revealed out of **rejection** to it, that he is a disbeliever in Allaah, as Ibn Abbaas said. Because by their rejection of Allaah's judgement after having knowledge that it was revealed in His Book, then they have rejected the Prophethood of His Prophet after they knew that he was a prophet."⁸

So this is the meaning of the saying of Al-Hasan:

"It was revealed upon the Jews and it applies to us."

And the saying of Ibraheem An-Nakha'ee:

"It was revealed upon the children of Israel and it applies this *Ummah*."⁹

So this is the opinion of the Shaykh of the *Mufasssireen* Ibn Jareer and Al-Qaadi Bin Ishaq, and Aboo Su'ood, and Al-Jassaas and many others. They all agree perfectly with what was said by Hudhayfah (radiyallaahu anhu) which was reported from him by Hamaam who said:

"We were with Hudhayfah (radiyallaahu anhu) so we mentioned: **"..And whoever does not judge by what Allaah has revealed such are the disbelievers (kaafiroon)." [Al-Maa'idah (5):44]**. A man from amongst the people said "Indeed this was revealed upon the children of Israel! Then Hudhayfah (radiyallaahu anhu) said: 'Yes, your brothers among the children of Israel. You think that it gives a free licence in your case, and punishment in theirs! Rather, by the one in whose Hand is my soul, as long as the practise is

⁶ Ahkaamul Qur'aan (2/439)

⁷ Mukhtasir Tafseerul Khaazin (1/310)

⁸ Tafseer At-Tabaree (10/358)

⁹ See Tafseer At-Tabaree (10/356-357) and Ad-Durrul Manthoor (3/87-88)

the same as the practice then the threat is the same as the threat.”¹⁰

And this is the opinion of Abu Mijliz and many others. Aboo Mijliz was a major ta`bi`een, a great scholar:

“A group from the Ibaadiyyah came to sit with him, they said: ‘Allaah (subhaanahu wa ta’aala) says: **“..And whoever does not judge by what Allaah has revealed such are the disbelievers (kaafiroon).”** [Al-Maa`idah (5):44]...**“..such are the Oppressors (dhaalimoon).”** [Al-Maa`idah (5):45]..**“..such are the disobedient (faasiqoon).”** [Al-Maa`idah (5):47]..’

Aboo Mijliz said: ‘They (the rulers) are aware of what they do and they know that it is sinful. - in another narration - ‘if they left any matter of it, then they know that they have sinned - and this verse was revealed upon the Jews and the Christians.’

They said: ‘By Allaah you truly know what we know, but you fear them. He said: ‘You have more cause to be afraid then us, as for us, we do not know what you know!’ They said: ‘you do know but that which prevents you from performing your duty is your fear of them.’¹¹

So Aboo Mijliz (rahimahullaah) was saying that the leaders know what they know regarding judging by other than what Allaah has revealed, and they know that it is major sin and that they are deserving a dreadful punishment. But their desires and lusts carried them along. So the verse does not include them in it. Because it was revealed upon those who judge by other than what Allaah has revealed out of denial and making it permissible as the Jews and Christians and whoever treads their path. So those are the ones that leave the fold of Islam, because of their denial, and making **halal**, not the leaders.

But those Ibaadiyyah, and they are a sect from the *Hurooree Khawarijj* were not content with that and did not agree. Rather they transgressed the boundaries of manners and continued upon what they are upon today saying: ‘And whoever does not judge by what Allaah has revealed then he is a disbeliever’ without any explanation.”

This is indeed the opinion of many people today! Oh Allaah I flee to you from ever going astray and speaking without knowledge.

Fourth and fifth saying to follow in next weeks class, in shaa’ Allaah.

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¹⁰ Narrated by Al Haakim in Al-Mustadraq (2/312) & Al Waqee (1/39) & Al- Marwazi in As Sunnah p65

¹¹ Narrated by At-Tabbaree in his tafseer (10/347) and Abu Ash-Shaykh and Abdu Bin Hameed as in Durul Manthoor (3/88)